

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

<b>SECURITIES AND EXCHANGE COMMISSION,</b>	)	
	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 07-cv-8851 (LAP)</b>
	)	
<b>NORTEL NETWORKS CORPORATION And NORTEL NETWORKS LIMITED,</b>	)	<b>(ECF Case)</b>
	)	
<b>Defendants.</b>	)	
<hr/>	)	
 <b>SECURITIES AND EXCHANGE COMMISSION,</b>	 )	
	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 07-cv-2058 (LAP)</b>
	)	
<b>FRANK A. DUNN, et al.,</b>	)	<b>(ECF Case)</b>
	)	
<b>Defendants.</b>	)	
<hr/>	)	

**PLAINTIFF’S SUPPLEMENTAL NOTICE IN SUPPORT OF ITS MOTION FOR AN  
ORDER APPROVING THE FINAL ACCOUNTING, REMITTING  
FUNDS TO THE U.S. TREASURY, TERMINATING THE FAIR FUND,  
DISCHARGING THE DISTRIBUTION AGENT, AND RELATED RELIEF**

On July 7, 2021, Plaintiff Securities and Exchange Commission (“SEC”) filed its Motion for an Order Approving the Final Accounting, Terminating the Fair Fund, Discharging the Distribution Agent, Remitting Funds to the U.S. Treasury, and Related Relief (the “Motion”). (Dkt. No. 110.) In support of the Motion, the SEC filed the Memorandum of Law (the “Memo”) (Dkt. No. 110) and the Consolidated Final Accounting Report (“CFAR”). (Dkt. No. 110-1.)

In the Motion, the SEC requested, among other things, Court approval for the transfer of the \$411,369.85 remaining in the Fair Fund (the “Residual”) to the U.S. Treasury. *See* Memo at 5-6; CFAR at 1-2.

On July 20, 2021, Epiq Class Action and Claims Solutions, Inc. (“Epiq”), the Court-appointed Distribution Agent, submitted its Fortieth and Final Progress Report (“Final Report”). (Dkt. No. 112.) The Final Report informed the Court that the CFAR did not reflect \$66,233.93 of Epiq’s accrued administrative expenses. Final Report at 3. As a result, after payment of these approved administrative expenses incurred by Epiq and authorized for payment by the SEC, the Plan Administration Fees and Costs will increase to \$5,092,603.32 and the Residual will decrease to \$345,135.92. *Compare* CFAR at 1-2 (reflecting total Plan Administration Fees and Costs of \$5,026,369.39 and an ending balance of \$411,369.85).

The SEC is therefore filing this supplemental notice to inform the Court of the corrected amount of the Residual, taking into account Epiq’s additional accrued expenses. Accordingly, in relevant part, Page 6 of the Memo should read, “request approval for the transfer of the \$345,135.92 in the Residual and any funds returned to the Fair Fund in the future to the U.S. Treasury subject to Section 21F(g)(3) of the Securities Exchange Act of 1934.” The SEC notes that the proposed Order submitted with the Motion requires no adjustment. (Dkt. No. 110-2.)

Dated: July 21, 2021

Respectfully submitted,

/s/ Nancy Chase Burton  
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**CERTIFICATE OF SERVICE**

I hereby certify that on July 21, 2021, I have served a copy of the Plaintiff's Supplemental Notice in Support of its Notice of Motion and Motion for an Order Approving the Final Accounting, Remitting Funds to the U.S. Treasury, Terminating the Fair Fund, Discharging the Distribution Agent, and Related Relief, by electronically transmitting this document using the Court's ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Nancy Chase Burton  
Nancy Chase Burton